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FACSIMILE TRANSMITTAL SHEET

TO: Examiner Kathleen Prunner

FIRM/COMPANY: USPTO, Group Art Unit 3751

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**CONFIRMATION
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DATE: June 8, 2004

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FILE NUMBER: U.S. SERIAL NO. 09/889,535, filed 01/16/2002
Our Ref: D4695-00083

TOTAL # OF PAGES: 18
(INCLUDING COVERSHEET)

MESSAGE: AMENDMENT

NOTE: Original will not follow

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: VIAL, S.

Serial No: 09/889,535

Examiner: Prunner, K.

Filing Date: January 16, 2002

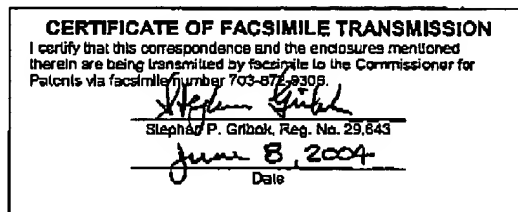
Group Art Unit: 3751

For: WRITING INSTRUMENT WITH VARIABLY INCLINABLE TIP

AMENDMENT, 37 C.F.R. §1.116

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**Introductory Statement**

Applicant responds to the official action mailed December 8, 2003 (Paper No. 15) by amending the disclosure and claims to comply with the indications of allowable subject matter in that action and also in Paper No. 7.

This response includes:

- amendments to the claims (the following 6 pages contain a complete listing of the claims), which reduce the number of claims presented;
- amendments to the specification (3 pages with numbered paragraphs);
- remarks (4 pages);
- a Notice of Appeal;
- an Extension of time under 37 C.F.R. §1.136(a) – three months;
- a Transmittal Letter containing a charge authorization for the official fees for the Extension and Notice of Appeal.

No new matter is presented. Reconsideration and allowance are requested.